



10/786,238

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	SCHACHT ET AL.	Examiner:	UNKNOWN
Serial No.:	10/786,238	Group Art Unit:	1723
Filed:	FEBRUARY 23, 2004	Docket No.:	163.1743US01
Title:	METHODS FOR TREATING MEMBRANES AND SEPARATION FACILITIES AND MEMBRANE TREATMENT COMPOSITION		

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**REQUEST FOR RECOGNITION OF PATENT PRACTITIONERS AS  
BEING OF RECORD, UNDER RULE 37 C.F.R. § 1.32(c)(3)**

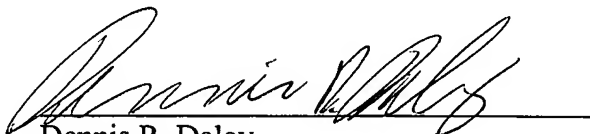
Because the Power of Attorney named more than ten patent practitioners, this paper is being submitted to indicate that the following patent practitioners are to be recognized by the Office as being of record:

<b>Batzli, Brian H.</b>	<b>Reg. No. 32,960</b>
<b>Daignault, Ronald</b>	<b>Reg. No. 25,968</b>
<b>Daley, Dennis R.</b>	<b>Reg. No. 34,994</b>
<b>DeVries Smith, Kate</b>	<b>Reg. No. 42,157</b>
<b>DiPietro, Mark J.</b>	<b>Reg. No. 28,707</b>
<b>Gresens, John J.</b>	<b>Reg. No. 33,112</b>
<b>Skoog, Mark T.</b>	<b>Reg. No. 40,178</b>
<b>Wier, David D.</b>	<b>Reg. No. 48,229</b>

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: August 4, 2004

  
Dennis R. Daley  
Reg. No. 34,994  
DRD:PLSkaw

MERCHANT &amp; GOULD P.C.

United States Patent Application

## COMBINED DECLARATION AND POWER OF ATTORNEY

As the below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: METHODS FOR TREATING MEMBRANES AND SEPARATION FACILITIES AND MEMBRANE TREATMENT COMPOSITION

The specification of which

- a. ☐ is attached hereto  
 b. ☒ was filed on February 23, 2004 as application serial no. 10/786,238 and was amended on (if applicable) (in the case of a PCT-filed application) described and claimed in international no. filed and as amended on (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- a. ☒ no such applications have been filed.  
 b. ☐ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)

I acknowledge the duty to disclose information that is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (reprinted below):

**§ 1.56 Duty to disclose information material to patentability.**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;

or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application:

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Ali, M. Jeffer	Reg. No. 46,359	Lauer, Deakin T.	Reg. No. 47,735
Altera, Allan G.	Reg. No. 40,274	Leach III, Thomas J.	Reg. No. 53,188
Anderson, Gregg I.	Reg. No. 28,828	Leonard, Christopher J.	Reg. No. 41,940
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Beard, John L.	Reg. No. 27,612	Liepa, Mara E.	Reg. No. 40,066
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Bruess, Steven C.	Reg. No. 34,130	Pauly, Daniel M.	Reg. No. 40,123
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Byrne, Linda M.	Reg. No. 32,404	Phillips, John B.	Reg. No. 37,206
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DeMaster, E. Eric	Reg. No. 55,107	Sebald, Gregory A.	Reg. No. 33,280
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Frost, Roger T.	Reg. No. 22,176	Swenson, Erik G.	Reg. No. 45,147
Golla, Charles E.	Reg. No. 26,896	Trembath, Jon R.	Reg. No. 38,344
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Gresens, John J.	Reg. No. 33,112	Welter, Paul A.	Reg. No. 20,890
Haack, John L.	Reg. No. 36,154	Wier, David D.	Reg. No. 48,229
Hamre, Curtis B.	Reg. No. 29,165	Williams, Douglas J.	Reg. No. 27,054
Hartman, Jodi L.	Reg. No. 55,251	Wong, Bryan A.	Reg. No. 50,836
Hennings, Mark	Reg. No. 48,982	Zeuli, Anthony R.	Reg. No. 45,255
Hertzberg, Brett A.	Reg. No. 42,660		
Hillson, Randall A.	Reg. No. 31,838		
Hope, Leonard J.	Reg. No. 44,774		
Hornsby, III, Alton	Reg. No. 47,299		
Johns, Nicholas P.	Reg. No. 48,995		
Johnston, Scott W.	Reg. No. 39,721		
Jordan, III, George	Reg. No. 41,880		
Kalinsky, Robert A.	Reg. No. 50,471		
Kettelberger, Denise	Reg. No. 33,924		
Knearl, Homer L.	Reg. No. 21,197		
Korver, Joshua W.	Reg. No. 51,894		
Kowalchyk, Alan W.	Reg. No. 31,535		
Kowalchyk, Katherine M.	Reg. No. 36,848		
Lamberty, Michael	Reg. No. 50,760		
Larson, James A.	Reg. No. 40,443		

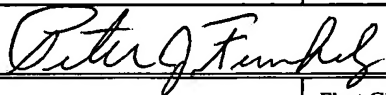
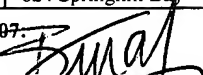
I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant & Gould P.C. to the contrary.

I understand that the execution of this document, and the grant of a power of attorney, does not in itself establish an attorney-client relationship between the undersigned and the law firm Merchant & Gould P.C., or any of its attorneys.  
Please direct all correspondence in this case to Merchant & Gould P.C. at the address indicated below:

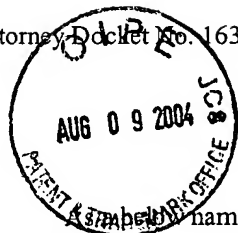
Merchant & Gould P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	Full Name Of Inventor	Family Name Schacht	First Given Name Paul	Second Given Name F.
0	Residence & Citizenship	City Oakdale	State or Foreign Country Minnesota	Country of Citizenship USA
1	Mailing Address	Address 6659 Upper 28th Street N.	City Oakdale	State & Zip Code/Country Minnesota 55128/USA
Signature of Inventor 201: <i>Paul F. Schacht</i>			Date: <i>June 18, 2004</i>	
2	Full Name Of Inventor	Family Name McBroom	First Given Name Amy	Second Given Name B.
0	Residence & Citizenship	City St. Paul	State or Foreign Country Minnesota	Country of Citizenship USA
2	Mailing Address	Address 1656 Minnehaha Avenue West	City St. Paul	State & Zip Code/Country Minnesota 55104/USA
Signature of Inventor 202: <i>Amy B. McBroom</i>			Date: <i>June 21<sup>st</sup>, 2004</i>	
2	Full Name Of Inventor	Family Name Hei	First Given Name Robert	Second Given Name D.P.
0	Residence & Citizenship	City Baldwin	State or Foreign Country Wisconsin	Country of Citizenship USA
3	Mailing Address	Address 2224 30th Avenue	City Baldwin	State & Zip Code/Country Wisconsin 54002/USA
Signature of Inventor 203: <i>Robert D.P. Hei</i>			Date: <i>June 18, 04</i>	
2	Full Name Of Inventor	Family Name Staub	First Given Name Richard	Second Given Name K.
0	Residence & Citizenship	City Lakeville	State or Foreign Country Minnesota	Country of Citizenship USA
4	Mailing Address	Address 16208 Goodview Trail	City Lakeville	State & Zip Code/Country Minnesota 55118/USA
Signature of Inventor 204: <i>Richard K. Staub</i>			Date: <i>July 12, 2004</i>	
2	Full Name Of Inventor	Family Name Krack	First Given Name Ralf	Second Given Name
0	Residence & Citizenship	City Duesseldorf	State or Foreign Country Germany	Country of Citizenship Germany
5	Mailing Address	Address Humboldstr. 86	City D-40237 Duesseldorf	State & Zip Code/Country Germany
Signature of Inventor 205:			Date:	

2	<b>Full Name Of Inventor</b>	<b>Family Name</b> Fernholz	<b>First Given Name</b> Peter	<b>Second Given Name</b> J.
0	<b>Residence &amp; Citizenship</b>	<b>City</b> Burnsville	<b>State or Foreign Country</b> Minnesota	<b>Country of Citizenship</b> USA
6	<b>Mailing Address</b>	<b>Address</b> 10904 Territorial Drive	<b>City</b> Burnsville	<b>State &amp; Zip Code/Country</b> Minnesota 55337/USA
Signature of Inventor 206:				
			Date: 6/18/04	
2	<b>Full Name Of Inventor</b>	<b>Family Name</b> Somayajula	<b>First Given Name</b> Srinivas	<b>Second Given Name</b>
0	<b>Residence &amp; Citizenship</b>	<b>City</b> Woodbury	<b>State or Foreign Country</b> Minnesota	<b>Country of Citizenship</b> India
7	<b>Mailing Address</b>	<b>Address</b> 624 Springhill Bay	<b>City</b> Woodbury	<b>State &amp; Zip Code/Country</b> Minnesota 55125/USA
Signature of Inventor 207:				
			Date: 6/28/04	

**23552**  
PATENT TRADEMARK OFFICE



MERCHANT &amp; GOULD P.C.

## United States Patent Application

## COMBINED DECLARATION AND POWER OF ATTORNEY

I, Shahab named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: METHODS FOR TREATING MEMBRANES AND SEPARATION FACILITIES AND MEMBRANE TREATMENT COMPOSITION

The specification of which

- a. ☐ is attached hereto  
b. ☒ was filed on February 23, 2004 as application serial no. 10/786,238 and was amended on (if applicable) (in the case of a PCT-filed application) described and claimed in international no. filed and as amended on (if any), which I have reviewed and for which I solicit a United States patent.

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I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- a. ☒ no such applications have been filed.  
b. ☐ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
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U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

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(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

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I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

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Kowalchyk, Alan W.	Reg. No. 31,535		
Kowalchyk, Katherine M.	Reg. No. 36,848		
Lamberty, Michael	Reg. No. 50,760		
Larson, James A.	Reg. No. 40,443		

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant & Gould P.C. to the contrary.

I understand that the execution of this document, and the grant of a power of attorney, does not in itself establish an attorney-client relationship between the undersigned and the law firm Merchant & Gould P.C., or any of its attorneys. Please direct all correspondence in this case to Merchant & Gould P.C. at the address indicated below:

Merchant & Gould P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	<b>Full Name Of Inventor</b>	<b>Family Name</b> Schacht	<b>First Given Name</b> Paul	<b>Second Given Name</b> F.
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<b>Signature of Inventor 203:</b>				<b>Date:</b>
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<b>Signature of Inventor 204:</b>				<b>Date:</b>
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<b>Signature of Inventor 206:</b>				<b>Date:</b>

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<b>Signature of Inventor 207:</b>				<b>Date:</b>

**23552**

PATENT TRADEMARK OFFICE